



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1744

Introduced 2/20/2015, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-6-2.1 new
730 ILCS 5/3-10-14 new
730 ILCS 125/17.15 new

Amends the Unified Code of Corrections and the County Jail Act. Provides that if a person committed to the Department of Corrections or a prisoner in the county jail exposes his or her saliva or other bodily fluid to a correctional officer or a peace officer, the committed person or prisoner shall be compelled to submit his or her blood sample for analysis by a forensic laboratory approved by the chief administrative officer of the facility or the warden of the jail. Provides that the blood shall be withdrawn by a physician authorized to practice medicine, a licensed physician assistant, a licensed advanced practice nurse, a registered nurse, a trained phlebotomist, a licensed paramedic, or other qualified person designated by the chief administrative officer or warden of the jail. Provides that the blood shall be tested for HIV, AIDS, Hepatitis C, and other contagious diseases. Provides that the results of the test shall be forwarded to the chief administrative officer of the Department of Corrections or Department of Juvenile Justice facility or warden of the jail. Effective immediately.

LRB099 08070 RLC 28216 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unified Code of Corrections is amended by
5 adding Sections 3-6-2.1 and 3-10-14 as follows:

6 (730 ILCS 5/3-6-2.1 new)

7 Sec. 3-6-2.1. Withdrawal of blood; testing. If a committed
8 person exposes his or her saliva or other bodily fluid to a
9 correctional officer of the Department or a peace officer, the
10 committed person shall be compelled to submit his or her blood
11 sample for analysis by a forensic laboratory approved by the
12 chief administrative officer of the facility in which the
13 committed person is assigned. The blood shall be withdrawn by a
14 physician authorized to practice medicine, a licensed
15 physician assistant, a licensed advanced practice nurse, a
16 registered nurse, a trained phlebotomist, a licensed
17 paramedic, or other qualified person designated by the chief
18 administrative officer. The blood shall be tested for human
19 immunodeficiency virus (HIV), acquired immunodeficiency
20 syndrome, as defined by the Centers for Disease Control or the
21 National Institutes of Health (AIDS), Hepatitis C, and other
22 contagious diseases. The results of the test shall be forwarded
23 to the chief administrative officer.

1 (730 ILCS 5/3-10-14 new)

2 Sec. 3-10-14. Withdrawal of blood; testing. If a person
3 committed to the Department of Juvenile Justice exposes his or
4 her saliva or other bodily fluid to a correctional officer of
5 the Department or a peace officer, the person shall be
6 compelled to submit his or her blood sample for analysis by a
7 forensic laboratory approved by the chief administrative
8 officer of the facility in which the committed person is
9 assigned. The blood shall be withdrawn by a physician
10 authorized to practice medicine, a licensed physician
11 assistant, a licensed advanced practice nurse, a registered
12 nurse, a trained phlebotomist, a licensed paramedic, or other
13 qualified person designated by the chief administrative
14 officer. The blood shall be tested for human immunodeficiency
15 virus (HIV), acquired immunodeficiency syndrome, as defined by
16 the Centers for Disease Control or the National Institutes of
17 Health (AIDS), Hepatitis C, and other contagious diseases. The
18 results of the test shall be forwarded to the chief
19 administrative officer.

20 Section 10. The County Jail Act is amended by adding
21 Section 17.15 as follows:

22 (730 ILCS 125/17.15 new)

23 Sec. 17.15. Withdrawal of blood; testing. If a prisoner of

1 the jail exposes his or her saliva or other bodily fluid to a
2 correctional officer of the county jail or a peace officer, the
3 prisoner shall be compelled to submit his or her blood sample
4 for analysis by a forensic laboratory approved by the warden of
5 the jail. The blood shall be withdrawn by a physician
6 authorized to practice medicine, a licensed physician
7 assistant, a licensed advanced practice nurse, a registered
8 nurse, a trained phlebotomist, a licensed paramedic, or other
9 qualified person designated by the warden of the jail. The
10 blood shall be tested for human immunodeficiency virus (HIV),
11 acquired immunodeficiency syndrome, as defined by the Centers
12 for Disease Control or the National Institutes of Health
13 (AIDS), Hepatitis C, and other contagious diseases. The results
14 of the test shall be forwarded to the warden of the jail.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.